

June 15, 2026

Hans Oaks
c/o Helena Ranger District
2880 Skyway Drive
Helena, MT 59602
hans.oaks@usda.gov

Re: Request for 30-Day Extension of Public Comment Period and Public Hearing– Blue Copper Project Draft Environmental Assessment (Project No. 303864)

Dear Mr. Oaks,

On behalf of the Montana Environmental Information Center, Clark Fork Coalition, WildEarth Guardians, Trout Unlimited, and Helena Hunters and Anglers, we respectfully request that the Helena Ranger District: (1) extend the public comment period for the Blue Copper Project Draft Environmental Assessment (“Draft EA”) by thirty (30) days, from the current deadline of July 2, 2026, to August 2, 2026; and (2) hold at least one public meeting and hearing on the proposed project prior to the close of the comment period.

We appreciate the opportunity to comment on this proposal and do not make this request lightly. However, for the reasons set forth below, the current thirty-day comment period is insufficient to allow the public, affected communities, and interested organizations to meaningfully review and comment on a project of this size, complexity, and consequence. A thirty-day extension is modest, reasonable, and warranted.

Discussion

I. The Project Record Is Unusually Large and Complex

The Blue Copper Project is among the most extensive mineral exploration proposals in the Helena-Lewis and Clark National Forest in recent decades. The project proposes up to 127 drill pads on National Forest System and BLM lands, up to five drill rigs operating 24 hours a day, seven days a week, approximately 41 miles of road use, including 2.87 miles of new construction, and up to five years of continuous operations across a 10,816-acre footprint spanning eight distinct target areas in Powell and Lewis and Clark Counties. The project record spans the Draft EA, three appendices, a Forest Plan Consistency Table, a Compliance Register, a Plan of Operations, a Water Resources Questionnaire, and at least sixteen supplemental technical memos and issues worksheets covering aquatics, hydrology, botany, heritage, noxious weeds, soils, recreation, scenery, silviculture, socioeconomics, transportation, and wildlife. Adequately reviewing and responding to this record requires more than thirty days. Indeed, while the

undersigned organizations bring some expertise on these issues to this process, they will be hard-pressed to review all of this material in such a short time.

The stakes make that review critical. The Blue Copper Project poses direct risks to multiple federally threatened species, two already-impaired waterways (Snowshoe Creek and Carpenter Creek, both listed on Montana’s CWA Section 303(d) impaired waters list), critical grizzly bear connectivity habitat in the Northern Continental Divide Ecosystem, Canada lynx Critical Habitat Unit 3, and a designated corridor of the Continental Divide National Scenic Trail. The project’s own reclamation analysis acknowledges that natural recovery of soils in highly disturbed areas may take fifty or more years. These are not speculative or marginal impacts; they are significant, long-duration risks to public lands and resources that Montanans and the broader public have a compelling interest in carefully evaluating.

While we understand that this project has been designated as a FAST-41 “Transparency Project,” that designation does not eliminate the public’s right to meaningful participation in decisions affecting their lands, waters, and wildlife under NEPA. A thirty-day extension does not impede project review; it ensures the public has an adequate opportunity to offer informed comments that should be considered by the agency given the extensive scope of this uniquely complex and consequential proposal.

II. The Draft EA Contains Significant Gaps That Prevent Meaningful Public Comment

The Draft EA is incomplete in several material respects. The agencies have not initiated ESA Section 7 consultation despite their own Biological Assessment finding that the project “may affect, IS LIKELY TO ADVERSELY AFFECT” grizzly bears, a finding that triggers mandatory formal consultation with the U.S. Fish and Wildlife Service. The Heritage Issues Worksheet acknowledges that the Class III cultural resource inventory for the Ophir Mining District has not been completed. Field verification of whitebark pine habitat, lynx critical habitat structural stages, wolverine spring snow data, and pollinator surveys for monarch butterfly and Suckley’s cuckoo bumble bee are all still pending. Tribal government-to-government consultation has been initiated but not concluded.

We recognize that these gaps are unlikely to be resolved in the next thirty days regardless of when the comment period closes. That observation, however, cuts in favor of a longer comment period, not against one, for three reasons.

First, the public has a role in filling these gaps. NEPA’s comment process is not a one-way information download from agencies to the public; it is a mechanism for the agencies to gather expertise, local knowledge, and perspectives they may lack. Many of the undersigned organizations have direct experience with these species, watersheds, and landscapes. A truncated

comment period limits the agencies' ability to benefit from that knowledge precisely when the project record is most in need of it.

Second, information gaps make review harder, not easier. When baseline surveys are incomplete and consultation findings are pending, the public must work significantly harder to evaluate potential impacts — often by consulting independent literature, commissioning expert review, or reconstructing what the agencies have not yet analyzed. That work takes time. Thirty days is woefully insufficient.

Third, the gaps that are visible raise legitimate questions about what is not. When an EA acknowledges pending surveys, unverified model data, and uninitiated consultations across multiple resource areas, the public cannot know with confidence what additional information the agencies may have omitted or deferred. That uncertainty is itself a reason for more careful scrutiny and more time to conduct it.

If the agencies are not prepared to withdraw the Draft EA and reissue it when the record is more complete, then meaningful public participation requires, at minimum, the additional time we are requesting here.

III. The Agency Should Hold a Public Meeting and Hearing

We also respectfully request that the Helena Ranger District hold at least one public meeting and hearing on the Blue Copper Project prior to the close of the comment period. Under USDA's current NEPA implementing regulations, the responsible official has express authority to "host or sponsor public hearings, public meetings, or other opportunities for public involvement as deemed necessary . . . to inform the decision-making process." 7 C.F.R. § 1b.9(k). The circumstances here compel the exercise of that authority.

The project is located approximately 20 miles west of Helena and 7.5 miles from the community of Avon, communities whose residents, landowners, hunters, anglers, and businesses have a direct and tangible stake in the outcome of this decision. Private landowners adjacent to the project area will live with its impacts on roads, waterways, wildlife, and the character of the landscape for years of around the clock drilling operations. Many of these community members are not accustomed to engaging in formal federal environmental review and may have limited capacity to submit written comments. However, these community members have essential local knowledge, direct experience with the affected landscape, and legitimate interests that the agency is obligated to consider.

A public hearing would serve several purposes that written comment alone cannot. It would give agency specialists the opportunity to present the project and answer questions. It would allow affected landowners and community members to raise concerns in a format that is

accessible to them. And it would provide the agency with a more complete record of community perspectives on a project that, by its own reckoning, will alter 10,816 acres of the Helena-Lewis and Clark National Forest for years to come.

We respectfully request that one or more public hearings be held in Helena, Elliston, or Avon—and ideally all three communities, with adequate advance notice to ensure that affected communities and adjacent landowners are aware of the public involvement opportunity. We further request that the hearing(s) be scheduled with sufficient time remaining in the comment period for attendees to follow up with written comments informed by what they learn at the hearing.

Conclusion

We respectfully request the Helena Ranger District to: (1) grant a 30-day extension of the public comment period for the Blue Copper Project Draft EA, from July 2, 2026, to August 2, 2026; and (2) hold at least one public meeting and hearing on the proposed project prior to the close of the comment period. These requests are warranted by the exceptional size and complexity of the project record, the material gaps in the Draft EA’s analyses, the pending status of ESA and tribal consultations, the significance of the potential impacts to public lands, waters, wildlife, and communities, and the strong interest of residents and landowners in the Helena, Avon, and Elliston areas who deserve a meaningful opportunity to engage with this decision.

We appreciate your consideration of this request and ask that you respond as promptly as possible. Questions regarding this letter may be directed to Derf Johnson, Deputy Director at Montana Environmental Information Center, at djohnson@meic.org.

Respectfully submitted,

Derf Johnson
Deputy Director
Montana Environmental Information Center
P.O. Box 1184
Helena, MT 59642
(406) 443-2520, Ext. 103
djohnson@meic.org

Andrew Gorder
Legal Director
Clark Fork Coalition
PO Box 7593
Missoula, MT 59807
andrew@clarkfork.org

Lizzy Pennock
Carnivore Coexistence Attorney
WildEarth Guardians
117 W. Broadway

Steve Platt
President
Helena Hunters and Anglers
splatt4570@gmail.com

Missoula, MT 59802
lpennock@wildearthguardians.org

Walker Conyngham
Staff Attorney
Trout Unlimited, Inc.
312 N. Higgins Ave
Missoula, MT 59802
(406) 529-5754
walker.conyngham@tu.org